

EXHIBIT I

From: Chris Kachouroff
To: Frey, Timothy
Cc: Loftus, Julie; Bedell, James
Subject: Re: 30(b)6 topics
Date: Tuesday, July 9, 2024 12:30:25 AM
Attachments: [image437098.jpg](#)
[image.png](#)

Dear Tim,

With respect to your response to our request to dismiss the parent companies, there is no good faith basis to keep the parent companies in this case. You will find no support in law for the position you articulated below. If you have any, I would welcome the opportunity to see it. Otherwise, I request that you voluntarily dismiss the international companies and that Smartmatic USA proceed with its claims.

Second, and since you are unable to accommodate my requests for a 30(b)6 deposition which I asked for months ago, I am unable to agree on modifying the scheduling order to accommodate yours. That means we will now wait for the Court to do any further scheduling.

I asked many months ago for 30(b)6 dates because *I wanted them in vivo for a deposition and told Ms. Loftus that I had a right to them in person.* It's why I agreed to schedule them after the deadline (which has since moved) in order to accommodate their travel as non-U.S. citizens. At that time, the topics were the original amended topics and I was told that it would only be one or two people.

Your client's first excuse was that it was difficult for them to travel to the U.S. Now, they want to claim that we've asked for too many people. Manufacturing an excuse not to produce won't cut it. Had you scheduled these folks as I requested back in April you would not be in this position. I have been more than accommodating up to this point.

Your client was the one who in open court rejected the notion that we needed to amend the scheduling order. You said you could be ready. You were wrong.

And finally, the last minute jettisoning of Attachment A--a made up document--and refusing to dismiss plaintiffs who no longer have a claim has created a mess at what should be the end of the discovery process.

Sincerely,

Chris Kachouroff

On Mon, Jul 8, 2024 at 7:51 PM Frey, Timothy <TFrey@beneschlaw.com> wrote:

Chris,

Responding to your emails from today:

1. We cannot do July 11 and 12, but per your separate email exchange with Julie, we can do July 23 and 24. Please confirm and we will send notices.

2. We do not agree to extend fact discovery for the purposes of providing 30(b)(6) testimony as to the breadth of the 30(b)(6) deposition topics you are seeking. As Julie explained previously, since the re-opening of fact discovery, you have not indicated any intention to seek 30(b)(6) deposition testimony of Smartmatic on topics other than those related to damages. While we are amenable to agreeing to extend the fact discovery deadline for the purposes of a 30(b)(6) damages deposition, the topics you have identified below far exceed those issues and would require Smartmatic to present a number of different witnesses. As such, we will move forward with our request for leave to take the depositions we have been seeking and note your opposition.
3. As it relates to your question about Smartmatic International Holding B.V. and SGO Corporation Limited, Plaintiffs' position is that U.S. lost profits were sustained by not only Smartmatic USA, but also Smartmatic International (by virtue of owning 100% of Smartmatic USA) and SGO (by virtue of owning 100% of Smartmatic International).

Thanks,

Tim

 vCard Bio

Timothy M. Frey
Partner | Litigation
Benesch Friedlander Coplan & Aronoff LLP
t: 312.624.6365 | TFrey@beneschlaw.com
www.beneschlaw.com
71 South Wacker Drive, Suite 1600, Chicago, IL 60606-4637
Confidentiality Notice to Incorrect Addressee: www.beneschlaw.com/confidentialitynotice

From: Chris Kachouroff <chris@mck-lawyers.com>

Sent: Monday, July 8, 2024 12:49 PM

To: Loftus, Julie <JLoftus@beneschlaw.com>; Frey, Timothy <TFrey@beneschlaw.com>; Bedell, James <JBedell@beneschlaw.com>

Subject: 30(b)6 topics

Julie,

I had two days open up this week and got Lindell's calendar. I know this is short notice but

can you all do the 30(b)6 depos this week on the 11th and 12th?

For our 30(b)6 depos, I will want to go over the following topics:

4, 5, 7 -12, 14 - 22, 26, 29, 32 (Bautista indictment)

I will also want to go over Smartmatic's Responses to Discovery and the allegations in the complaint. And last, I do want to examine the designees on the OAN settlement agreement and related communications.

I understand you will be objecting to #32 and to disclosure of the actual settlement agreement and related communications. These will be matters raised in the August 20 hearing.

To the extent that any of the topics reference international harm which I understand you all to have jettisoned, you may exclude that from preparation.

Sincerely,

Chris Kachouroff

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CHRISTOPHER I. KACHOUROFF, Esq.

Tel: 703.621.3300

Cell: 703.853.0160

Web: www.mck-lawyers.com

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CHRISTOPHER I. KACHOUROFF, ESQ.

Tel: 703.621.3300

Cell: 703.853.0160

Web: www.mck-lawyers.com

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